REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion is respectfully requested.

Claims 1-4 and 7-18 are pending in the application. Claims 1, 7, 11, 14, 17 and 18 are amended. Support for the amended claims can be found in the original specification, claims and drawings.[1] Thus, no new matter is added.

In the Final Official Action of August 8, 2005, Claims 1-18 were rejected under 35 U.S.C. § 102(b) as anticipated by Schwelb et al. (U.S. Patent No. 5,278,866, hereinafter "Schwelb").

In response to the rejection based on Schwelb, Applicants respectfully submit that independent Claims 1, 7, 11, 14, 17 and 18 state novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 1 relates to a mobile communication system for detecting a change in the communication environment and/or capability of a mobile terminal. The system responds to the detection by setting a network resource or a media type in conformity to the detected change to automatically eliminate at least one of a network seam, content seam and device seam resulting from the detected change.

Specifically, amended Claim 1 recites, *inter alia*, a mobile communication system, comprising:

> ...detecting means for detecting at least one of a change in a communication environment in which an object to be inspected, having the possibility of becoming a seam in mobile communication exists and a change in a capability of said object to be inspected...
>
> setting means for newly ***setting at least one of a network resource and a media type in conformity to said change detected by said detecting means, for automatically eliminating at least one of a network seam, content seam and device seam which are caused by said detected change***...

[1] E.g., specification, p. 42, lines 1-11, and Figs. 7-10

Independent Claims 7, 11, 14 and 17-18 recite substantially similar features. Thus, the arguments presented below also apply to these pending independent claims.

In a non-limiting, exemplary embodiment, contents transmitted to a mobile device are converted from text media to audio media when an optical sensor determines that the environment surrounding the mobile device has become dark.[2] Similarly, audio media is converted into text, or other visual media and transmitted to the mobile device when the device transitions from a quiet environment to a loud environment. The system, therefore, enables "network seamless" for roaming between different kinds of networks, "contents seamless" for converting different kinds of encoding or media therebetween, and "device seamless" for making it possible to utilize optimum I/O devices in conformity to surrounding environments.[3]

Turning to the applied reference, Schwelb describes a cellular telephone network that supports the delivery of audible information to visually impaired subscribers. Specifically, Schwelb describes that text messages are converted to an audible format by a network connected audio device, and the converted audio messages are sent via conventional voice/call connection to the receiving mobile station.[4]

However, Schwelb fails to teach or suggest that a change in environment or capability of a device is detected, and that one of a network resource and media type are changed in conformity to the detected change ***for automatically eliminating at least one of a network seam, content seam and device seam which are caused by said detected change.***

Specifically, Schwelb describes that when a mobile subscriber enters a new sub-area (34), a registration signal (104) is sent via an air interface (14) through a base station (12) to the currently serving mobile switching center (18).[5] A subscriber record for the registering

[2] Id., p. 29, lines 22-26.
[3] Id., p. 42, lines 1-11.
[4] Schwelb, abstract.
[5] Id., col. 5, line 32-col. 6, line 65 and Fig 4.

subscriber is then obtained, which indicates whether the subscriber is a non-seeing subscriber, or whether the subscriber has activated the feature of supporting audible delivery of text information.[6] In this context, the Final Official Action of August 8, 2005, asserts that "newly setting at least one of a network resource and a media type" in response to the detection, as recited in independent Claim 1, is analogous to the detection and response to the of the non-seeing subscriber setting (setting a media type) in the mobile device while moving between mobile switching centers (change of environment).[7]

However, Schwelb fails to teach or suggest newly setting at least one of a network resource and a media type in conformity to said change detected by said detecting means, ***for automatically eliminating at least one of a network seam, content seam and device seam which are caused by said detected change***. As discussed above, in an exemplary non-limiting embodiment at p. 17, line 23-p. 18, line 2 of the specification, detected environmental/capability information may indicate that the device has transitioned to/from inside a train or bus, inside a theatre, inside a hospital, etc., as reported to the device by via a local wireless connection. Thus, to prevent a "seam" in communications, the media type of transmitted messages may be altered so that the format thereof conforms to a specific environment, thereby preventing uninterrupted, or "seamless" communications while transitioning through various detected capabilities/environments.

Alternatively, as discussed above, Schwelb describes that the detected change is a change between mobile switching centers (environments), and in response to this change the system may set a resource to send audible, instead of text, messages to non-seeing subscribers. Thus, in Schwelb, the detection of a change of environment and ensuing change or resources is simply a determination of user settings in response to a handoff between

[6] Id.
[7] Final Official Action of August 19, 2005, p. 2.

mobile stations and does not ***eliminate a seam, caused by the detected change*** (e.g., from one mobile switching center to another).

Therefore, Applicant's respectfully submit that Schwelb fails to teach or suggest newly setting at least one of a network resource and a media type in conformity to said change detected by said detecting means, ***for automatically eliminating at least one of a network seam, content seam and device seam which are caused by said detected change***, as recited in amended independent Claim 1.

Accordingly, Applicants respectfully request that the rejection of independent Claims 1, 7, 11, 14, and 17-18 under 5 U.S.C. § 102(b) be withdrawn. As Claims 2-4, 7-10, 12-13, and 15-16 depend from amended independent Claims 1, 7, 11, 14, and 17-18 respectively, Applicants submit that these claims also patentably define over Schwelb.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-4 and 7-18 is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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